

# **Exhibit 2**

## SECOND DECLARATION OF FRANK FIGGERS

I, Frank Figgers hereby submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a resident of Jackson. I was born here, raised here, and have lived my entire life here.
2. I am a registered voter in Mississippi and vote regularly in all elections.
3. I am a member of the NAACP and a lifelong community activist. In these roles, I have routinely fought to ensure that marginalized communities in Jackson are fairly treated by our government and political institutions. I am keenly aware of the importance of having unbiased courts who treat those who come before them fairly and equally regardless of their race.
4. In Jackson, many of our prosecutors and judges—including many of the municipal judges whom our elected officials select—are well-integrated into the communities they represent. They attend our churches and schools. They and their families are from our neighborhoods and are part of the lifeblood of our community.
5. In light of the long history of racism in the Mississippi, my vote is the best means I have to ensure that public officials will treat me and my community fairly and equally. When I choose whom to vote for in our local elections, I consider who they might choose to be our municipal judges, because our municipal judges are on the frontlines of administering justice to us in Jackson. Nearly all of our municipal judges—and all of our elected circuit judges—are Black, but this is not about the race of our judges. It is about our ability to oversee those judges through our local elected officials.
6. Because our judges need the support of our local elected officials, I believe they are more present in our communities. They are aware of the faith and trust that the community places in them, and they know that if we don't trust them, we can take it up with the mayor or our councilmembers.

As a result, even though these judges are not directly elected by me, my political power—my vote—helps to ensure that these judges know me and will treat me and my community fairly and equally.

7. By requiring Chief Justice Michael Randolph and State Attorney General Lynn Fitch to appoint the CCID judges and prosecutors, who are not required to be residents of Hinds County, House Bill 1020 destroys the connection between judges and prosecutors and the communities they are supposed to serve. The appointees may not be from Jackson and they will be unknown and unaccountable to residents. Because of H.B. 1020, as a resident of Jackson, I cannot be assured that the appointed judges and prosecutors share my priorities or understanding of the world.

8. Even if Justice Randolph's or State AG Fitch's appointees were from Jackson, they would not be chosen by us. Unlike my local elected officials, the Chief Justice and State Attorney General are not accountable to me as a voter. They don't need my vote, and as far as I can tell, they have made no attempt to understand my community.

9. The dangers H.B. 1020's system poses to Jackson's residents are apparent. Black Mississippians already face disproportionately high rates of incarceration and are more routinely subject to criminal penalties and fees. We currently elect judges and other officials to mediate these harms, but H.B. 1020 takes this out of our hands and instead subjects us to the will of the Chief Justice, who I believe has been vocal in his support of increased criminal penalties and harsher sentencing.

10. As a result of H.B. 1020, Jackson residents will be forced to appear in court in front of judges and prosecutors who do not understand our struggles and who are beholden to politicians who are not elected by us and who have no need to account to us. And I know that I'll have no way of using my vote or the threat of my vote to push back against any practices or policies these appointed judges and prosecutors adopt.

11. Jackson is 80% Black, yet the judges and prosecutors who oversee a substantial portion of the city would be appointed entirely by white officials. No other city or county has been

targeted in this way. People like me, the Black residents of Hinds County, are forced to face the brunt of the State's actions.

12. We support efforts to help Jackson and its residents; we only want to ensure that our judges and our prosecutors treat us fairly and are responsive to our needs as a community, as is the right of everyone else across Mississippi. But H.B. 1020, grants State officials the controlling voice in our —and only our—local judiciary.

I DECLARE THAT, TO THE BEST OF MY KNOWLEDGE, THE FOREGOING IS TRUE AND CORRECT.

Executed this 13<sup>th</sup> day of November, 2023.

  
Frank Figgers